

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION**

RICKY N. KNIGHT,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:04CV00099 ERW
)	
JO ANNE B. BARNHART,)	
)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

This matter is before the Court upon the Report and Recommendation of United States Magistrate Judge David D. Noce pursuant to 28 U.S.C. § 636(b). The Court notes that no objections to the Report and Recommendation have been filed within the time afforded by 28 U.S.C. § 636(b)(1).

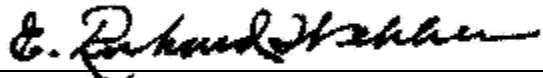
Pursuant to 42 U.S.C. § 405(g), a party may seek review of any final decision of the Commissioner of Social Security. Upon review, a district court may remand to the Commissioner, under sentence four of § 405(g). After filing an answer, the Commissioner filed a Motion to Remand on June 2, 2005 (doc. #15). Additionally, the Plaintiff filed a Memorandum in support of the Commissioner's Motion to Remand (doc. #16).

As detailed in the Report and Recommendation, a supplemental hearing by the Administrative Law Judge is necessary to develop a full and fair record with regard to Plaintiff's intellectual functioning and limitations due to obesity, as well as to obtain vocational expert testimony. Therefore, after consideration of the issues, the Court hereby sustains, adopts and incorporates herein the Magistrate's Report and Recommendation.

Accordingly,

IT IS HEREBY ORDERED that the Commissioner's Motion for Remand is **GRANTED**. The above-styled action is **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings in accordance with the Report and Recommendation.

Dated this 23rd day of June, 2005.

A handwritten signature in black ink, appearing to read "E. Richard Webber", is written over a horizontal line.

E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE